

EPA Region 5 Records Ctr.



246176

015

THE LAW OFFICE OF CAROLIN K. SHINING, ESQ.
ATTORNEY-AT-LAW

THREE FIRST NATIONAL PLAZA
SUITE NINETEEN-SIXTY
CHICAGO, ILLINOIS 60601-1210

(312)251-0055 (DIRECT)
(312)251-0026 (FAX)
73004.1223@CIS.COM (E-MAIL)

October 31, 1994

VIA FAX (886-0747)

Kurt Lindland
Assistant Regional Counsel
U.S. Environmental Protection Agency
Region V
77 West Jackson Boulevard
Chicago, IL 60604-3590

RE: Order No. V-W-94-249

Dear Kurt:

This letter is in response to your letter of October 27, 1994 regarding preliminary results of samples taken on October 5, 1994.

Before responding to your letter, let us restate that Chicago International Exporting, Inc., Chicago International Chicago, Inc., Steven and Lawrence Cohen ("Respondents") will continue to assist the U.S. EPA in its efforts to implement the requirements of the Section 106 Order, including our recent agreement to aide in the installation of a trailer at 4004 S. Wentworth and to host a Work Plan meeting at 4004 S. Wentworth on November 2, 1994 at 10:30 a.m. As stated in our letter to you of October 18, 1994, while Respondents are not financially able to comply with all terms of the Section 106 Order, Respondents will make every effort to assist the U.S. EPA to the extent reasonable and possible.

Despite our intent to cooperate and provide the U.S. EPA every consideration, Respondents must repeat their belief that their current shredding operations do not result in the generation, transportation, storage or disposal of PCBs in violation of any federal hazardous waste laws. Respondents are preparing materials to support this assertion, and hope that the U.S. EPA will take this evidence into consideration.

Respondents will voluntarily provide materials demonstrating that their operations do not generate PCBs. First, Respondents will provide with documentary and technical evidence, provided in part by Ron Frehner of Conestoga-Rovers & Associates and through Respondents' own expertise in identifying electric motors. Tests conducted on such raw materials which have not been stored at 4004 S. Wentworth are attached to this letter. As PCB-containing motors

THE LAW OFFICE OF CAROLIN K. SHINING, ESQ.
ATTORNEY-AT-LAW

Letter to Kurt Lindland
Page Two
October 31, 1994

have not been sold in normal recycling and shredding channels for over a decade, PCB-containing motors and transformers do not exist in the stream of materials purchased by Respondents.

Second, Respondents are producing a written version of their motor-sorting procedures. These current procedures effectively remove any and all capacitors which may even potentially contain PCBs. Additional safeguards, including removing all capacitors from electric motors prior to shredding will further reduce the likelihood that any PCB-containing material is shredded.

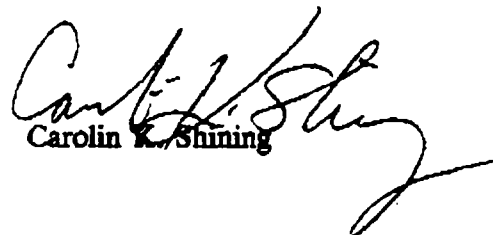
Third, Respondents will conduct additional tests of shredded material as it leaves the shredding machine and before it contacts 4004 S. Wentworth. We will provide the U.S. EPA split samples of these materials, and we will repeat these tests with the U.S. EPA present if requested.

Lastly, compiling the evidence collected above, Respondents will prepare a full technical analysis of the current shredding/chopping operations. Respondents firmly believe their current practices, policies, as analysed and tested, will establish that no PCBs are generated by the shredding operation.

As stated before, Respondents are doing their best to comply with the Section 106 Order. Respondents hope that the U.S. EPA recognizes these efforts. In fact, Respondents are willing to consider any suggestion that the U.S. EPA may have which will facilitate this cooperation and ensure that Respondents' business remains on-going.

We look forward to receiving your test results as soon as you may make them available. Please do not hesitate to contact me with your questions and concerns.

Yours truly,


Carolin K. Shining

cc: Steven and Lawrence Cohen (via fax)



Scientific
CONTROL LABORATORIES, INC.
TESTING — CONSULTING

David M. Caskey
Laboratory Manager
2168 S. Kohn Ave.
Chicago IL 60623-4829
Phone: 312-254-2406
FAX: 312-254-6001

Report To: Mr. Rich Burgess
Chicago International
4020 South Wentworth
Chicago IL 60609

Project Number: 84-832
Project Inception: 10-18-94
Report Date: 10-28-94

Project Type: Chemical Analysis

IDENTIFICATION OF MATERIAL:

Three (3) capacitor samples, identified below.

PROCEDURE:

The sample was analyzed in accordance with 40 CFR 136, Method 808.

RESULTS:

<u>Sample ID</u>	<u>PCB</u>	<u>Quantitation</u> <u>Limits</u>
1	BDL	1. ppm/capacitor
2	BDL	2.38 ppm
3	BDL	1. ppm/capacitor

BDL = Below Detection Limits

Respectfully submitted,

SCIENTIFIC CONTROL LABORATORIES, INC.

By 

David M. Caskey

DMC:lj

FAX

Note: It is our policy to keep copies of reports for six months. The data is kept on file for up to three years. Samples (if applicable) are kept for three weeks. Samples that are hazardous will be returned to the client. If this policy poses a difficulty, please contact us to make other arrangements. If requested, our report, must be reproduced completely. Any unauthorized alteration of this report invalidates the content.